NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO

Docket No.

YOR999124US2 THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity) In Re Application Of: Miller et al. **Group Art Unit** Examiner Customer No. Confirmation No. Application No. Filing Date 2666 4589 10/622,279 07/18/2003 Harper, Kevin C. 23405 DON-DISRUPTIVE RECONFIGURATION OF PUBLISH/SUBSCRIBE SYSTEM DEC 2.7 2005 **COMMISSIONER FOR PATENTS:** Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 12/08/2005 finally rejecting Claim(s) 1-14, 17-30 and 33-40 The fee for this Notice of Appeal is: \$500.00 A check in the amount of the fee is enclosed. The Director has already been authorized to charge fees in this application to a Deposit Account. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0510 (IBM) Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. 12/28/2005 DEMMANU1 00000035 500510 10622279 01 FC:1401 500.00 DA Wy 7. Mi Dated: December 22, 2005 Wayne F. Reinke, Esq. Registration No. 36,650 Heslin Rothenberg Farley & Mesiti P.C. hereby certify that this correspondence is being deposited with the United States Postal Service with 5 Columbia Circle sufficient postage as first class mail in an envelope Albany, NY 12203-5160 addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on Telephone: 518-452-5600 December 22, 2005 Facsimile: 518-452-5579 (Date) Signature of Person Mailing Correspondence Customer No. 23405

CC:

Jill K. Becker

Typed or Printed Name of Person Mailing Correspondence